

Sector #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re original application of:

Applicants : Frank Check et al.  
Application Serial No.: 09/837,535  
Filing Date : April 18, 2001  
Title: BIOPTICAL HOLOGRAPHIC LASER SCANNING SYSTEM  
Examiner : n/a  
Group Art Unit : 2876  
Attorney Docket No. : 108-083USA000

Honorable Commissioner of Patents  
and Trademarks  
Washington, DC 20231

RESPONSE TO NOTICE OF MISSING PARTS OF APPLICATION  
FILING DATE GRANTED

Sir:

In response to the Notice of Missing Parts of Application/Filing Date Granted dated July 2, 2001, Applicants submit herewith the following documents for filing in the above-referenced Application:

- Combined Declaration of Inventorship And Power of Attorney;
- Preliminary Amendment;
- Thomas J Perkowski, Esq. PC Check No. 2412;
- Substitute Specification;
- Three Hundred Thirty Five (335) sheets of Substitute Drawings;
- Declaration Accompanying Transmittal of Substitute Specification and Replacement Drawings Under C.F.R. 1.125;
- Petition for Extension of Time;
- Part 2 of Notice Of Missing Parts Of Application/Filing Date Granted mailed October 2, 2001; and
- Return Receipt Postcard.

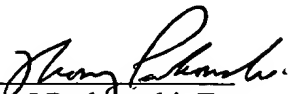
Enclosed for payment of the requisite filing and extension of time fees of \$1592.00 is Thomas J Perkowski, Esq. PC Check No. 2412 in the same amount. The Commissioner is authorized to charge any fee deficiencies to Deposit Account No. 16-1340. A duplicate of this document is enclosed herewith.

Please address all correspondence to the undersigned attorney at the following address:

Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902

Respectfully submitted,

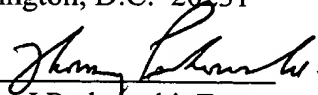
Dated: October 2, 2001

  
Thomas J Perkowski, Esq.  
Attorney for Applicants  
Reg. No. 34,134  
Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902  
203-357-1950  
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Certificate of Mailing under  
37 C.F.R. 1.8

I hereby certify that this correspondence  
is being deposited with the United States  
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Prepaid envelope as, First Class Mail,  
addressed to:

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

  
Thomas J Perkowski, Esq.  
Date: October 2, 2001

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/837,535

04/18/2001

Frank Check

108-083USA000

CONFIRMATION NO. 9077

## FORMALITIES LETTER



\*OC000000006247300\*

Thomas J. Perkowski, Esq.  
Thomas J. Perkowski, Esq., PC  
Soundview Plaza  
1266 East Main Street  
Stamford, CT 06902

Date Mailed: 07/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/05/2001 SZEWDIE1 00000010 09837535

01 FC:101 740.00 OP  
02 FC:105 130.00 OP  
03 FC:103 612.00 OP

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

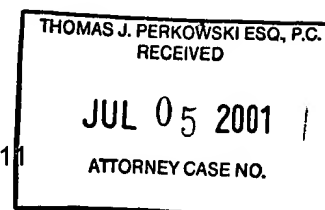
- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$7070.
  - \$2430 for 135 total claims over 20.
  - \$4640 for 58 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 7910.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - The specification cannot be scanned or properly stored. Page(s)

o 1-122 do not comply with the size requirements (8 ½ by 11)



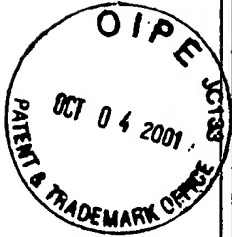
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Arthur M. Schulz

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

# SECRET



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**DECLARATION ACCOMPANYING TRANSMITTAL OF SUBSTITUTE  
SPECIFICATION AND REPLACEMENT DRAWINGS UNDER C.F.R. 1.125**

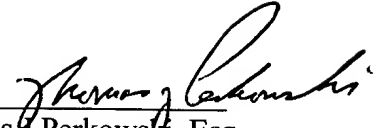
Sir:

I hereby declare that the Substitute Specification and Three Hundred Thirty Five (335) Sheets of Replacement Drawings transmitted herewith for filing in the above-referenced Application contains no new matter, in accordance with 35 U.S.C. Section 132.

The undersigned declares further that all statements made herein are of his own knowledge, are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

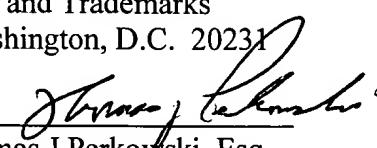
Dated: October 2, 2001

  
Thomas J. Perkowski, Esq.  
Attorney for Applicants  
Reg. No. 34,134  
Thomas J. Perkowski, Esq., P.C.  
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